

## Obamacare Update



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April 21, 2014

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The next issue of Capitol Journal will be available on May 5th.

### Top Story

*Obamacare remains an uncertain work in progress for the federal government and the 14 states and District of Columbia that operate exchanges at which the uninsured can enroll for health care insurance.*

## SNCJ Spotlight

### Some states soar, others stumble on Obamacare

The Affordable Care Act or Obamacare is finally off the critical list. If Obamacare were a patient we could say that his or her condition was stable, but with an uncertain prognosis. If the health care law were instead an army, we might quote Winston Churchill, who described a crucial British military victory during World War II, as "not the end...not

## A Cannon Perspective



With Lou Cannon

even the beginning of the end but, perhaps, the end of the beginning.”

Whatever the analogy, Obamacare remains an uncertain work in progress for the federal government and the 14 states and District of Columbia that operate exchanges, or marketplaces, at which the uninsured can enroll for health care insurance. (Idaho and New Mexico will this year join the list of state exchanges, boosting the number to 16.)

In their first year of operation, the state exchanges have differed widely in performance. Covered California, the sophisticated health care exchange in the Golden State, has despite early struggles enrolled 1.4 million people, about a fifth of the national total. Executive Director Peter V. Lee announced last Thursday that Covered California also enrolled 1.9 million Californians in Medi-Cal, the state version of Medicaid, which provides health coverage for low-income Americans.

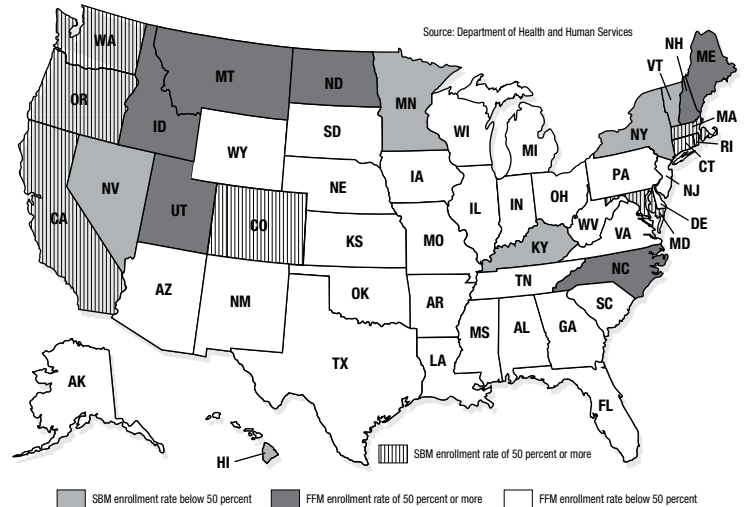
Lee called the figures “a huge number” and said the enrollees “are part of history.”

Exchanges in at least a half dozen other states joined California in exceeding their original goals. The Connecticut exchange, Access Health CT, signed up 200,000 persons for health insurance, double the initial estimate. Other exchanges that have overall performed well include Kentucky, Michigan, New York, Rhode Island, Vermont and Washington.

In contrast, exchanges in Hawaii, Maryland, Massachusetts, Minnesota and Oregon have completely flopped — although not for lack of trying. All of these states have Democratic governors committed to Obamacare. They have stumbled because of technological hurdles that unprepared state officials have been unable to surmount.

Lack of technical expertise also nearly did in the federal exchange, Health.gov, last October. The repeated breakdowns accompanying the federal rollout for a time threatened the existence of the health care law and eventually led to the resignation of beleaguered U.S. Health and Human Services Secretary Kathleen Sebelius.

## Bird's eye view



### Enrollment rates better for state-run health insurance exchanges

As of March 1, 15 states had managed to sign up more than half of the residents deemed eligible to enroll in their health insurance exchanges, according to the March health insurance marketplace enrollment report from the Department of Health and Human Services. Of the 14 states implementing their own health insurance exchanges, also known as state-based marketplaces, or SBMs, eight had enrollment rates over 50 percent. Only seven of the 36 states with exchanges supported by or fully run by the DHHS, known as federally facilitated marketplaces, or FFMs, had enrollments rates of 50 percent or more.



The No. 1 problem of the exchanges that failed was explained cogently by Sabrina Corlette of the Georgetown University Health Policy Center to the *Los Angeles Times*: “You have government employees who are well-intentioned, good people but who don’t understand software code and basically have to trust that the vendors they hire know what they are doing. There was such a gold rush on the part of these vendors that there was lot of over-promising and underpricing.”

Nationally, the administration claims that 8 million people have signed up for health insurance and 3 million for Medicaid on the various exchanges. These numbers are somewhere between an estimate and a guess. Even Sebelius acknowledges that 10 to 20 percent of the sign-ups may not have paid their insurance premiums. A 20 percent-falloff would mean that only 6.4 million of the sign-ups actually had bought health insurance. On the other hand, the Medicaid figure is almost certainly low, given the late spurt in California and other states.

Also uncounted are people who bought policies directly from insurance companies, avoiding the complexity and delay of the exchanges. There could be millions of such people, “hiding in plain sight” as the *New York Times* puts it. What isn’t known, in addition to their numbers, is how many of them previously had health insurance policies that were canceled despite President Obama’s unfortunate promise that anyone who liked his health insurance policy could keep it.

Much of the mystery about the numbers should be cleared up relatively soon as exchanges and insurers digest the enrollment data. The data has lagged because the administration extended the March 31 enrollment deadline, allowing those who had applied but had been unable to enroll to complete the process without penalty. Covered California did even more, moving its deadline to April 15.

Whatever the final numbers, more Americans now have health insurance than at any time since the Great Recession. The Gallup-Healthways-Well Being Index found that the national rate of medically uninsured dipped to 15.6 percent in the first quarter of 2014, a 1.5 percent decline since the fourth quarter of last year and the lowest rate since late 2008. A survey by the RAND Corporation, confirmed Gallup’s findings and added a surprising twist. RAND found that the largest number of new signups for health insurance — about 8.2 million people — came not from the exchanges but from expansion of workplace insurance, which declined during the recession.

Despite the spurt in insurance coverage, the ACA remains unpopular. A Gallup survey in mid-April found 43 percent of Americans approve of the law and 54 percent disapprove. This finding, grim as it is for Democrats, may understate the impact of Obamacare as an issue in this year’s midterm elections in which Republicans are favored to hold the House of Representatives and take control of the Senate. A *USA Today*-Pew Research poll found that two of three of those who consider Obamacare “very important” oppose the law.

Still, it won’t be easy for Republicans to turn back the clock. As conservative writer Byron York observed in a thoughtful analysis in the *Washington Examiner*,

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# Budget & taxes

**C**A GOV CALLS 'RAINY DAY' SPECIAL SESSION: California Gov. Jerry Brown (D) has called a special legislative session for April 24 to give lawmakers an opportunity to consider his plan for creating a new cash reserve fund. The state has had a rainy day fund since 2004, but it's been mostly empty during the state's budget crises and there aren't strong rules in place for funding it.

Brown said his plan, which would require the state to save a portion of the revenue it takes in from capital gains taxes, would help stabilize the state's notoriously erratic finances and help avoid the need for deep spending cuts in economic downturns.

"We simply must prevent the massive deficits of the last decade and we can only do that by paying down our debts and creating a solid rainy day fund," he said in a statement.

Brown wants his plan to go before the state's voters in November, but it has to get through the Legislature first. And that's far from a certainty with proposed ballot measures requiring a two-thirds vote in both chambers, Brown's party having lost its supermajority in the Senate due to criminal investigations of several Democratic senators, and Republicans backing a different rainy day fund proposal, which was approved by the Legislature four years ago and is already scheduled to be on the Nov. 4 ballot (LOS ANGELES TIMES, STATE NET)

**MI GOV DECLARES FISCAL EMERGENCY IN ANOTHER CITY:** Last week, Michigan Gov. Rick Snyder (R) declared a fiscal emergency in Lincoln Park. Among other reasons for his decision, the governor cited "a trend of overspending from the general fund" and projections that the city's general-fund deficit was likely to grow by another \$1 million this year.

If the governor's finding is confirmed, city leaders will have four alternatives to choose from: review by a neutral party, a consent agreement requiring the city to take specific steps within a specific time frame, an emergency manager, or Chapter 9 bankruptcy. City Manager Joseph Merucci said Lincoln Park's seven-member City Council was planning to hold a special meeting to discuss the finding but based on his conversations with council members the city was most likely to opt for the consent agreement option.

Two other Michigan cities, Inkster and River Rouge, are currently under such agreements. Four more, Detroit, Allen Park, Flint and Hamtramck, have been placed under emergency managers. Three, Benton Harbor, Ecorse and Pontiac, are in the process of transitioning from emergency management back to self-government. And two, Royal Oak Township and Highland Park, are under review. (DETROIT FREE PRESS)

— *Compiled by KOREY CLARK*

three miles of any known geologic fault or area of significant seismic activity. Among other things, the permits require drilling companies to install seismic monitors.

Environmental groups applauded the ODNR's actions.

"The steps announced to protect communities from seismic events are reasonable precautions," said Scott Anderson of the Environmental Defense Fund. "Although there is much uncertainty regarding what causes earthquakes and how dangerous small and medium quakes may be — and therefore this is a policy that may well evolve in the future — the state's decisive action is based on the best information available. This approach should serve the citizens well."

But the Ohio Oil and Gas Association was less enthusiastic about the new requirements.

"We believe the seismic activity experienced in Poland Township was a rare and isolated event that should not cast doubt about the safety of hydraulic fracturing, a process that has been conducted on more than 1 million oil and gas wells in the U.S. including 80,000 in Ohio, since the 1950s," said Thomas Stewart, executive vice president of the organization. "Though we understand the public's concern, we encourage an abundance of caution and perspective when evaluating this incident."

Stewart added that his group would "review the recommendations provided by the ODNR" but would "only support measures based on sound, scientific principles and practicality." (TOLEDO BLADE)

**OBAMA CONDEMNS GOP-BACKED ELECTION LAWS:** At the annual convention of the Rev. Al Sharpton's National Action Network in Manhattan last week, President Barack Obama issued a call to arms to his Democratic base, accusing

Republicans of trying to rig the upcoming elections that could determine control of the U.S. Senate.

"The right to vote is threatened today in a way that it has not been since the Voting Rights Act became law nearly five decades ago," he said in a hotel ballroom filled mostly with African-American supporters. "Across the country, Republicans have led efforts to pass laws making it harder, not easier, for people to vote."

Presumably the president was referring to the voting changes enacted over the last 15 months in at least nine states, including North Carolina, Ohio and Wisconsin, not only imposing new voter identification requirements but also limiting the time that polls are open; cutting back early voting, particularly on the weekend when it's often easier for lower-income voters to get to the polls; eliminating same-day voter registration; and making it more difficult to cast provisional or absentee ballots.

Republicans have said the laws are needed to prevent voter fraud and Democrats are overstating their impact for political reasons.

**"The right to vote is threatened today in a way that it has not been since the Voting Rights Act became law nearly five decades ago."**

“They want to create an issue out of nothing,” said Sean Spicer, communications director for the Republican National Committee. “The bottom line is, they know they’re on the wrong side of the issues that are important with voters, and the only way they can win is by scaring their base into voting.” (NEW YORK TIMES, BRENNAN CENTER FOR JUSTICE)

**MINIMUM WAGE RALLYING POINT FOR DEMS THIS YEAR:** Thirty-four states have considered or are currently considering increasing their minimum wage this year, according to the National Conference of State Legislatures, and at

**“The bottom line is, they know they’re on the wrong side of the issues that are important with voters, and the only way they can win is by scaring their base into voting.”**

least five states — Connecticut, Delaware, Maryland, Minnesota and Virginia, all but one of which are governed by Democrats — have already adopted minimum wage increases. And the issue will likely continue to be an active one into November, with minimum-wage measures headed to the ballot in numerous states, most of which are under Republican control.

The wave of minimum-wage measures is due in part to Congress' failure to pass President Barack Obama's proposed \$2.85 increase in the federal minimum wage, which has stood at \$7.25 per hour since 2009. This is actually the second year in a row of higher-than-usual minimum-wage activity since Obama made that proposal in 2013.

But another reason for the increased level of activity is the upcoming elections. Democrats are trying to get measures raising the minimum wage on the Nov. 4 ballot in the GOP-led states of Alaska, Idaho, Michigan, Nebraska and South Dakota, and the Democrat-led state of Massachusetts, as well as Arkansas and Missouri, where control is split between the two parties. Such measures have increased turnout of Democratic and swing voters in nonpresidential elections in the past, according to the Ballot Initiative Strategy Center in Washington, D.C.

Hourly workers are likely to benefit from the measures too. The center said that of the 15 proposed minimum wage increases that have been on the ballot in 11 states since 1996, all but two of them were approved. (STATELINE.COM, STATE NET)

**POLITICS IN BRIEF:** President Obama announced the resignation of Department of Health and Human Services Secretary Kathleen Sebelius, who unfortunately became the face of the troubled federal online insurance marketplace, healthcare.gov, which suffered numerous technical problems that hindered enrollments. Obama said he intends to nominate Sylvia Mathews Burwell, the director of the Office of Management and Budget, to replace Sebelius (KAISER HEALTH NEWS). • **UTAH** lawmakers won't return to Salt Lake City this summer as planned to override vetoes issued by Gov. Gary Herbert (R), including one associated



with the investigation of former Attorney General John Swallow. Support for the overrides reportedly fell far short of the two-thirds majorities required, with only 34 members of the 75-seat House and eight members of the 29-seat Senate in favor of reversing the governor (SALT LAKE TRIBUNE, STATE NET). • **NEW JERSEY** Gov. Chris Christie (R) said last week he supports ending campaign-finance limits. He said the state's current campaign funding system obscures the sources but has not stopped the rise of money in politics (PHILADELPHIA INQUIRER). • Delegates to **WISCONSIN's** Republican Party convention next month will get an opportunity to vote on a so-called "state sovereignty" resolution upholding the state's right to secede "under extreme circumstances" and calling for the elimination of all mandates that go "beyond the scope of the constitutionally delegated powers of the federal government." Top GOP officials had hoped to kill the fringe proposal at a meeting of the resolutions committee on April 5, but instead that panel adopted it on a split vote after making a few edits (MILWAUKEE JOURNAL SENTINEL). • Former Phoenix Mayor Paul Johnson is planning to back another effort to establish a top-two primary in **ARIZONA**, where independents are now the largest voting bloc. Voters overwhelmingly rejected the idea (Proposition 121) in 2012, with the state's Republican, Libertarian and Green parties all opposing it and the Democratic Party not taking an official stand (CRONKITE NEWS SERVICE).

— *Compiled by KOREY CLARK*

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# Governors

**S**NYDER ROLLS OUT EXPANDED RECYCLING PLAN: Michigan Gov. Rick Snyder (R) released a proposal last week that would double the amount of residential waste that Wolverine State residents recycle.

"Michigan has a strong tradition of protecting and enhancing its environment," Snyder said in a statement. "But when it comes to recycling, we must do better. Michigan trails other Great Lakes states and much of the nation in residential recycling. It's a complex challenge but one that we can address. This plan puts us on the right path."

Michigan residents currently recycle only about 15 percent of their household waste. Snyder's wants to grow that figure to at least 30 percent within two years. In doing so, he says, the state would recoup a big chunk of the \$435 million in reusable materials Michiganders toss out each year.

Snyder's 15-point plan has four key components: outreach and education; improving consumer recycling access; creating a demand for recycled goods through the use of tax-exempt, private activity bonds to build recycling centers and create

directory of potential customers for those recycled materials; and developing a data collection and analysis system to track the program's progress. State officials believe that building a market for the state's recyclables could eventually create up to 13,000 new jobs.

The plan is not without challenges. Among the biggest is improving recycling access for consumers. Fifty eight of the state's 83 counties – including its five largest, Wayne, Oakland, Macomb, Kent and Genesee — currently lack easy access to recycling.

Snyder has committed \$1.5 million to the project: \$1 million in his FY 2015 budget and another \$500,000 in state grants available to local communities that implement the plan. (DETROIT NEWS, WASHINGTON POST, MICHIGAN GOVERNOR'S OFFICE, RIPON ADVANCE)

#### CO ETHICS PANEL CLEARS

**HICKENLOOPER:** A Colorado ethics panel cleared Gov. John Hickenlooper (D) of charges he had improperly used staff time for partisan purposes and violated the state's gift ban for elected officials. The conservative group Compass Colorado filed the complaint with the state Independent Ethics Commission over Hickenlooper's appearance at a Democratic Governor's Association meeting, contending that he violated the law by allowing the DGA to pay for his food and lodging. But the Commission ruled that the time Hickenlooper's staff used helping prepare him for the conference was minimal and that the value of the expertise he provided there exceeded the value of his food and lodging. Hickenlooper is the DGA's vice chair. He also organized and served as host for the meeting, where he spoke at every event. (DENVER POST, DENVERCBSLOCAL.COM)

#### HERBERT PUSHES MEDICAID ALTERNATIVE PLAN:

Utah Gov. Gary Herbert (R) said he believes the Obama administration is inching closer to approving his state's alternative proposal to providing health insurance coverage to the estimated 110,000 Utahans who would otherwise be eligible for Medicaid under the parameters of the Affordable Care Act. Herbert met with outgoing Department of Health and Human Services chief Kathleen Sebelius last week to lobby for the plan.

## Upcoming elections

(4/11/2014 - 5/2/2014)

04/22/2014

### Florida Special Primary

US House Congressional District 19

04/24/2014

### Connecticut Special Election

House District 94

04/29/2014

### Massachusetts Special Election

House 5th Suffolk

05/06/2014

### Indiana Primary Election

House (All)

Senate Districts 1, 4, 6, 11, 14-15, 17, 19, 21-23, 25-27, 29, 31, 38-39, 41, 43, 45-49

Constitutional Officers: Secretary of State, Treasurer, Auditor

US House (All)

### North Carolina Primary Election

House (All)

Senate (All)

US House (CD 1-11, and 13)

US Senate (Hagan)

### North Carolina Special Primary

US House (CD 12)

### Ohio Primary Election

House (All)

Senate (Odd)

Constitutional Officers: Governor, Lieutenant Governor, Secretary of State, Treasurer, Attorney General, Auditor

US House (All)

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• **NEVADA** Gov. Brian Sandoval (R) and **RHODE ISLAND** Gov. Lincoln Chafee (D) wrote a letter last week to U.S. House Speaker John Boehner (R-Ohio) and House Minority Leader Nancy Pelosi (D-California) asking that their chamber take up a Senate-approved bill to extend long-term unemployment benefits to almost 2 million Americans. The U.S. Senate passed the bill earlier this month but the House has so far not taken up the measure. Nevada and Rhode Island have the highest unemployment rates in the country (ROLL CALL).

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— Compiled By FELICIA CARILLO  
(measures current as of 4/16/2014)  
Source: State Net database

NEWS). • **MINNESOTA** Gov. Mark Dayton (D) signs HB 2091, which will raise the Gopher State minimum wage to \$9.50 per hour by 2016 for employers with over \$500,000 in gross annual sales. Smaller businesses will be required to pay no less than \$7.75 per hour. Beginning in 2018 annual increases for all employers will be tied to inflation (MINNEAPOLIS STAR

TRIBUNE, STATE NET). • **OKLAHOMA** Gov. Mary Fallin (R) signs SB 1023, a bill that bars local governments from establishing their own standards on minimum wage, paid sick leave and vacation requirements for workers (OKLAHOMAN [OKLAHOMA CITY]). • **WISCONSIN** Gov. Scott Walker (R) signs AB 412, a bill that exempts outside sales people from the state’s minimum wage law (WISCONSIN GOVERNOR’S OFFICE). • The **MISSOURI** House (HB 1690) and Senate (SB 841) each endorse legislation that would bar minors from buying electronic cigarettes or “vaping” devices. The measures now move to the respective opposite chambers (ST. LOUIS POST-DISPATCH).

## Upcoming stories

Here are some of the topics you may see covered in upcoming issues of the *State Net Capitol Journal*:

- **Tesla**
- **ACA**
- **Compassionate use**

**CRIME & PUNISHMENT:** **MARYLAND** Gov. Martin O’Malley (D) signs SB 364, which decriminalizes possession of less than 10 grams of marijuana (BALTIMORE SUN). • Also in **MARYLAND**, O’Malley signs SB 348, which imposes harsher penalties, including jail time, for anyone who causes a serious or fatal car crash while texting or talking on a cell phone while driving (BALTIMORE SUN). • **WISCONSIN** Gov. Scott Walker (R) signs a bill that requires adoptive parents seeking to transfer custody of their children to another person to first obtain judicial approval. The law is a response to a rise in “re-homing,” a practice in which adoptive parents use social media sites to give away unwanted kids to strangers. Violators face jail time and fines up to \$10,000 (WISCONSIN GOVERNOR’S OFFICE).

**EDUCATION:** The **OHIO** House approves an amendment inserted into a budget bill that affirms that student athletes at Buckeye State colleges and universities are not public employees. The measure, which moves to the Senate, is seen as a pre-emptive effort against possible unionization by college athletes (ASSOCIATED PRESS). • **WISCONSIN** Gov. Scott Walker (R) signs AB 729, which allows the University of Wisconsin to conduct classified research exempt from the Badger State’s open records law (WISCONSIN GOVERNOR’S OFFICE).

**ENERGY:** **MAINE** Gov. Paul LePage (R) vetoes HB 886, a bill that would have imposed a 0.011-cents-per-kilowatt-hour tax on residential and commercial electric bills to fund a solar energy program that would have implemented more than 1,250 new solar panel and hot water projects at Pine Tree State homes and businesses (BANGOR DAILY NEWS).

**ENVIRONMENT:** The **HAWAII** Senate approves SB 2175, legislation that would allow the University of Hawaii to conduct a two-year study on the potential use of hemp as a biofuel feedstock and in phytoremediation, the use of plants to remove contaminants from soil. It moves to Gov. Neil Abercrombie (D) for review (BIGISLANDNOW.COM [HONOLULU]). • The **VERMONT** Senate approves HB 112, a bill that would require foods containing genetically modified ingredients to be labeled as such before they could be sold in Green Mountain State stores. It returns to the House (BURLINGTON FREE PRESS, STATE NET). • **WISCONSIN** Gov. Scott Walker (R) signs a bill that limits civil liability for agricultural tourism providers. The measure would grant immunity if a tourist dies as a result of a risk inherent in the activity and the provider posts a sign giving notice about the potential risk (INSURANCE JOURNAL, WISCONSIN GOVERNOR’S OFFICE).

**HEALTH & SCIENCE:** The **MAINE** House unanimously endorses HB 1209, legislation that would give the family members of an opiate addict access to naloxone, a drug that reverses the effects of an overdose. The measure, which would also authorize trained law enforcement officers to administer the drug, moves to the Senate (PORTLAND PRESS HERALD). • **MARYLAND** Gov. Martin O’Malley (D) signs HB 881, which allows medical marijuana patients to buy weed from state-licensed dispensaries. Patients would need to have a certification card issued by a specially licensed doctor (BALTIMORE SUN). • A federal judge issues an injunction blocking an executive order by **MASSACHUSETTS** Gov. Deval Patrick (D) that barred the sale of the painkilling drug Zohydro. Patrick barred the drug’s sale in March over concerns the pills were not tamper resistant enough and could be easily crushed and then snorted or injected by opiate addicts. U.S. District Court Judge Rya Zobel cited the drug’s approval by the U.S. Food and Drug Administration, saying that approval trumps state actions (BOSTON.COM). • **WISCONSIN** Gov. Scott Walker (R) signs AB 726, a bill that allows the use of cannabis oil, a marijuana derivative, to treat children who suffer from seizure disorders (MILWAUKEE JOURNAL-SENTINEL, WISCONSIN GOVERNOR’S OFFICE).

**SOCIAL POLICY:** A federal judge rules that **OHIO** must recognize same-sex marriages performed legally in other states. Judge Timothy Black said a current Buckeye State law barring recognition of those unions is unconstitutional. State

## The week in session

**States in Regular Session:** AK, AZ, CA, CO, CT, DC, FL, HI, IA, LA, MA, ME, MI, MN, MO, NE, NH, NY, OH, OK, PR, RI, SC, TN, VT

**States in Special Session:** VA “a”

**States in Recess:** DE, IL, KS, MI, NJ, PA, WI

**States currently prefilng for 2015 Session:** MT

**States adjourned in 2014:** AL, AR, CA “a”, DE “b”, GA, HI “a”, HI “b”, ID, IL “a”, IL “b”, IN, KS “a”, KY, MD, MO “a”, MS, MS “a”, NH “a”, NJ “2011-12 session”, NJ “a”, NM, OK “a”, OR, PR “a”, PR “b”, SD, UT, VA, WA, WA “a”, WA “b”, WA “c”, WI “a”, WI “b”, WI “c”, WV, WV “a”, WY

Letters indicate special/extraordinary sessions

— Compiled By FELICA CARILLO  
(session information current as of 4/16/2014)  
Source: State Net database

officials said they will appeal the ruling (WASHINGTON POST). • **ALABAMA** Gov. Robert Bentley (R) signs four bills restricting access to welfare benefits in the Heart of Dixie: SB 115, which requires applicants for Temporary Assistance for Needy Families to submit three job applications before receiving benefits and makes someone who quits a job without good reason ineligible for those benefits; SB 114, which makes it a Class A misdemeanor to falsify information in order to qualify for any state or federally funded public assistance program; SB 63, which requires drug testing for TANF applicants who have had a drug conviction in the past five years; and SB 116, which increases penalties for welfare fraud and prohibits spending welfare benefits at casinos and strip clubs or on alcohol and tobacco (MONTGROMERY ADVERTISER). • **ARIZONA** Gov. Jan Brewer (R) signs HB 2284, a bill that allows state regulators to conduct surprise inspections on abortion clinics without having a search warrant, which is required under the conditions of a 2010 lawsuit settlement (KSAZ.COM [PHOENIX]). • A federal judge overturns a **NORTH DAKOTA** law that barred women from obtaining an abortion as soon as a fetal heartbeat is detected, which can be as early as six weeks into a pregnancy. U.S. District Judge Daniel Hovland said the law is “invalid and unconstitutional.” State officials are expected to appeal the decision (BISMARCK TRIBUNE).

**POTPOURRI: MARYLAND** Gov. Martin O’Malley (D) signs SB 827, which requires Old Line State zoos to hold liability insurance policies of at least \$1 million, employ a full-time director, have a staff member trained in caring for all the species at the establishment, develop an animal relocation plan in case their facilities close and maintain a disease prevention strategy (FREDERICK NEWS POST, STATE NET, MARYLAND GOVERNOR’S OFFICE).

— Compiled by RICH EHISEN

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## Once around the statehouse lightly

**E**LECTION AT THE OK CORRAL: It’s an election year, which means aspiring lawmakers clamoring to get through hyper-partisan primary races are all looking for creative ways to make themselves stand out in a crowd. One popular theme is for a candidate to shoot off both his mouth and his gun. As the *Wall Street Journal* reports, that’s the stance Montana Congressional candidate Matt Rosendale took recently when he released a video that showed him using a rifle to shoot down “a government drone” he intimated was spying on him. That followed a

In case you missed it

[http://www.statenet.com/capitol\\_journal/04-14-2014/html#sncj\\_spotlight](http://www.statenet.com/capitol_journal/04-14-2014/html#sncj_spotlight)



the most populous cities in the state he wants to be made governor of. But hey, at least he hasn't made a shoot 'em up video yet.

— By *RICH EHISEN*

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